

**REMARKS**

Claims 9-32 are pending. Claims 9, 13, 17, 21, 25 and 29 have been amended to overcome the 35 USC 112, first paragraph rejection. No new matter is presented.

Claims 9-32 have been rejected under 35 U.S.C. 112, first paragraph. The claims have been amended to overcome this rejection, and thus withdrawal of this rejection is requested.

Claims 11, 15, 19, 23, 27 and 31 have been amended to correct a typographical error in the superscript expression "(prime number p-1)" which should be (prime number p) -1.

Claims 9-32 have been rejected under 35 U.S.C. 102(b) as being anticipated by Gammie (U.S. Patent No. 5,029,207). This rejection is respectfully traversed.

Applicants previously argued that Gammie fails to teach or suggest that a "once-encrypted key is transmitted from a database to a requester." In the Examiner's Response to Arguments, the Examiner asserts that Gammie does teach this feature at col. 19, line 59, to col. 20, line 28.

Applicants respectfully disagree.

The portion of Gammie cited by the Examiner teaches an alternative embodiment in which the telephone controller/modem receives the KOM (key of the month) encrypted with the secret telephone number (col. 19, lines 61-63). In other words, the telephone controller/modem receives a once-encrypted key. However, the Examiner has disregarded the remainder of the claim and is picking and choosing different elements from various embodiments described in Gammie in an attempt to recreate the claimed invention. For example, the Examiner cites to the embodiment described at col. 9, line 65, to col. 10, line 13 as teaching all of the features of claims 9, 17 and 25, but in the Response to Arguments section, pulls a feature of a completely different embodiment from Gammie to show that a claimed feature is taught by Gammie. This akin to picking and choosing various elements of different references to recreate the claimed invention. This is impermissible. The Examiner just assumes that the remainder of the disclosed embodiment in

columns 19 and 20 disclose the claimed features without specifically pointing out where they are taught.

In fact, Applicants submit that the embodiment referred to in the body of the 35 USC 102 rejection doubly encrypts the content before transmission to a receiver. The embodiment referred to in the Response to Arguments (cols. 19 and 20) only states that an encrypted KOM is sent to the telephone controller/modem. This does not contradict Applicants' assertions with regard to the embodiment relied on in the rejection, nor does it actually suggest that there is no transmission of the twice encrypted content as in the preferred embodiment described in cols. 9 and 10. Rather, Gammie merely states that this embodiment can be used in conjunction with the embodiment of cols. 9 and 10. Further, transmitted an encrypted key of the month (KOM) does not mean that the content is only once encrypted. Again, the Examiner is assuming things not proven or even asserted.

As previously asserted, the pending claims describe that a once-encrypted key is transmitted from a database to a requester. At the requester, this key is then encrypted a second time and sent back to the database as a twice-encrypted key. At the database, the key is once-decrypted and sent back to the requester. At the requester, the key is completely decrypted and used to decrypt a digital object. This is simply not taught or suggested by Gammie. Gammie only describes a simple one-way system whereby content is doubly encrypted at a transmitter and then doubly decrypted at the receiver.

In view of the above, each of the presently pending claims in this application is in immediate condition for allowance. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and

authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **455392000900**.

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